IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5437 OF 2004

Akbar Mohd. Hussain Shaikh
alias Akbar Dadhi ... Applicant

versus

The State of Maharashtra ... Respondent

...

Mr. M.S. Karnik, for the Applicant.

Mr. D.R. More, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

20th December 2004

P.C.:

. Heard Counsel for the parties. The learned A.P.P. fairly accepts that co-accused who are the principal offenders have already been released on bail by the lower Court. The Applicant has been named because he was involved in preparation of the offence in question. As the principal offenders are already released on bail, the Applicant also deserves to be enlarged on bail. It was brought to my notice that there

is another offence pending against the Applicant. However, the Applicant has been named in the other offence only for harbouring the offenders punishable under sectionm 216A of the Indian Penal Code, which is a bailable offence. Accordingly, the Applicant deserves to be enlarged on bail on the following terms.

(a) The Applicant is granted bail in connection with CR.No. 295/2004 registered with Mahim Police Station, on executing personal bond in the sum of Rs.10,000/- with two local sureties in the like amount.

(b) The Applicant shall report to the investigating officer once in a month on first Saturday of every English calendar month between 10 a.m. to 1 p.m.

(c) The Applicant shall extend full co-operation for early disposal of the trial. If the trial Court is of the opinion that the Applicant is in any way responsible for delay in early disposal of the trial, that fact be recorded in

the roznama, which can be a ground for cancellation of bail.

(d) The Applicant shall not influence the prosecution witnesses, nor shall tamper with the prosecution evidence in any manner whatsoever.

. Application disposed of on the above terms.

. Parties to act on the authenticated copy of this order.

(A.M.KHANWILKAR,J.)